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The motion received unanimous approval.

**MOTION 93-199**

Moved by Ms. Kimura, seconded by Mr. True:

**The Commission finds Mr. Hall in violation of RCW 42.17.090 for failure to properly report all contributions.**

The motion received unanimous approval.

**MOTION 93-200**

Moved by Ms. Kimura, seconded by Mr. True:

**The Commission assesses Ken Hall a civil penalty of \$300 for the violation.**

The motion received unanimous approval.

Motion

Moved by Ms. Kimura:

The Commission finds George Blomberg in violation of RCW 42.17.090 for failure to properly report all contributions.

Commissioner Heninger said she finds it difficult to find Mr. Blomberg in violation when there is no evidence that he received the contributions.

Motion failed.

Interpretive Statement

Ms. Marcus said that a question arose regarding whether a candidate is still entitled to receive contributions, up to the \$500 contribution limit, for a primary election when the candidate will not appear on the primary ballot. Although rare, she said this situation can occur in special elections when only one candidate from each party has filed for a position. The language in RCW 42.17.640(1) states, in part, that:

No person, other than a bona fide political party or a caucus of the state legislature, may make contributions to a candidate for a state legislative office that in the aggregate exceed five hundred dollars or to a candidate for state office other than a state legislative office that in

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the aggregate exceed one thousand dollars for each election in which the candidate is on the ballot or appears as a write-in candidate.

She said this provision specifically requires that the candidate be on the ballot in order to receive contributions for that election. Therefore, if the candidate is not on the ballot, they cannot receive contributions for that election. Ms. Marcus noted that RCW 42.17.630(6) provides:

"Election" means a primary or a general or special election in which a candidate is on the ballot.

Therefore, she suggested that the intent of the initiative was only to permit contributions up to the stated limit for elections in which the candidate actually appears on the ballot.

**MOTION 93-201**

Moved by Ms. Marchisio, seconded by Ms. Heninger:

**The Commission adopts the interpretation that Initiative 134 permits contributions up to the stated limit for elections in which the candidate actually appears on the ballot.**

The motion received unanimous approval.

The meeting was adjourned at 5:10 pm.

Reviewed by:

Acting Executive Director 10/12/93

Approved by Commission 10/26/93

Signature of Commission Secretary \_\_\_\_\_